

OCT. 24. 2003 4:25PM

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AMDT CCA-3
10/30/03 #111
NO. 93541434

Appl. No. 09/271,011
Amdt Dated 10/24/2003
Reply to Office Action of 07/31/2003

**RESPONSE UNDER 37 CFR § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2666**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/271,011
Applicant : Kalkunte et al.
Filed : 03/17/1999
TC/A.U. : 2666
Examiner : Frank Duong

Docket No. : 82771P270C2
Customer No. : 8791

Confirmation No. 3401

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AMENDMENT UNDER 37 CFR § 1.116

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10/24/03

Sir:

In response to the Office action of 07/31/2003, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (714) 557-3800

INTELLECTUAL PROPERTY LAW
3200 PARK CENTER DRIVE, SUITE 750
COSTA MESA, CA 92626

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OCT 24 2003

Deliver to: Frank Duong, USPTO
 Facsimile No.: 703.872.9314
 From: Thinh V. Nguyen, Reg. No. 42,034
 Our Docket No.: 82771P270C2
 Application No.: 09/271,011

Art Group: 2664Date: October 24, 2003Number of pages 12 including this sheet.Filing Date: 3/17/1999Docket Due Date(s): 10/31/2003

Enclosed are the following documents:

Amendment: After Final
 Appeal Brief (in triplicate) (pgs)
 Application: _____
 (pgs) w/cover & abstract
 Assignment & Cover Sheet (pgs)
 Certificate of Facsimile
 Continued Prosecution Application (CPA)
 Declaration & POA (pgs)
 Drawings: sheets, figures
 Extension of Time: _____
 Fee Transmittal (in duplicate)
 IDS & PTO/SB/08 (pgs)
 Other _____

Issue Fee Transmittal
 Notice of Appeal
 Petition for: _____
 Request for Continued Examination (RCE)
 Reply Brief (pgs)
 Request & Certification Under 35 USC 122(b)(2)(B)(i)
 Request to Rescind Previous Nonpublication Request
 Response to Notice of Missing Parts & Formalities Letter
 Response to Written Opinion (pgs)
 Terminal Disclaimer
 Transmittal of Publication Fee Due
 Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

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Pat Sullivan 10/24/2003
Pat Sullivan Date

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application No.	09/271,011
		Filing Date	March 17, 1999
		First Named Inventor	Mohan V. Kalkunte
		Art Unit	2664
		Examiner Name	Frank Duong
Total Number of Pages in This Submission	12	Attorney Docket Number	82771P270C2

ENCLOSURES (check all that apply)

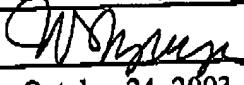
- Fee Transmittal Form
 - Fee Attached
- Amendment / Response
 - After Final
 - Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
 - PTO/SB/08
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
 - Basic Filing Fee
 - Declaration/POA
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
 - Petition to Convert a Provisional Application
 - Power of Attorney, Revocation, Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s)

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):

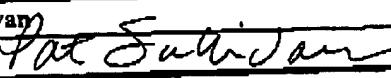
Facsimile Transmittal Sheet

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

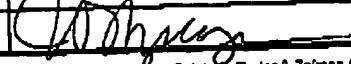
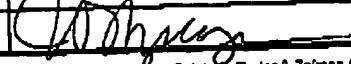
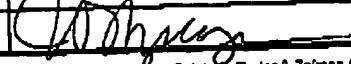
Firm or Individual name	Thinh V. Nguyen, Reg. No. 42,034 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	October 24, 2003

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Typed or printed name	Pat Sullivan	Date	October 24, 2003
Signature			

Based on PTO/SB/21 (08-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 09/11/2003.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL for FY 2003		<i>Complete if Known</i>																																																																																																																																																																																																																																																					
<small>Effective 01/01/2003. Patent fees are subject to annual revision.</small> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/271,011</td> </tr> <tr> <td>Filing Date</td> <td>March 17, 1999</td> </tr> <tr> <td>First Named Inventor</td> <td>Mohan V. Kalkunte</td> </tr> <tr> <td>Examiner Name</td> <td>Frank Duong</td> </tr> <tr> <td>Group/Art Unit</td> <td>2664</td> </tr> <tr> <td>Attorney Docket No.</td> <td>82771P270C2</td> </tr> </table>				Application Number	09/271,011	Filing Date	March 17, 1999	First Named Inventor	Mohan V. Kalkunte	Examiner Name	Frank Duong	Group/Art Unit	2664	Attorney Docket No.	82771P270C2																																																																																																																																																																																																																																						
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ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Large Entity</th> <th style="width: 50%;">Small Entity</th> <th rowspan="2" style="width: 10%;">Fee Description</th> <th rowspan="2" style="width: 10%;">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or cash</td> <td></td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>2053</td> <td>130</td> <td>2053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>850</td> <td>2263</td> <td>475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>2254</td> <td>740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>1,210</td> <td>2255</td> <td>608</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1404</td> <td>330</td> <td>2401</td> <td>165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>380</td> <td>2402</td> <td>165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>2451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>1453</td> <td>1,830</td> <td>2453</td> <td>665</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>1501</td> <td>1,530</td> <td>2501</td> <td>865</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502</td> <td>480</td> <td>2502</td> <td>240</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1503</td> <td>640</td> <td>2503</td> <td>320</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>Total Claims</td> <td>20</td> <td>Extra Claims</td> <td>0</td> <td>Fee from below</td> <td>Fee Paid</td> </tr> <tr> <td>Independent Claims</td> <td>4</td> <td>4*</td> <td>0</td> <td>88.00</td> <td>88.00</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="2" style="text-align: center;">2. 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For Reissues, see below</td> <td colspan="4" style="text-align: center;">SUBTOTAL (3) (S)</td> </tr> <tr> <td colspan="6" style="text-align: right;"><i>Complete if applicable</i></td> <td></td> </tr> <tr> <td colspan="2" style="text-align: center;">SUBMITTED BY</td> <td colspan="2"></td> <td colspan="2"></td> <td></td> </tr> <tr> <td>Name (Print/Type)</td> <td colspan="2">Thanh V. Nguyen</td> <td>Registration No. (Attorney/Agent)</td> <td>42,034</td> <td>Telephone</td> <td>(714) 557-3800</td> </tr> <tr> <td>Signature</td> <td colspan="2"></td> <td></td> <td>Date</td> <td colspan="2">10/24/03</td> </tr> </tbody></table>				Large Entity	Small Entity	Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or cash		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		2053	130	2053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	850	2263	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	1,210	2255	608	Extension for reply within fifth month		1404	330	2401	165	Notice of Appeal		1402	380	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	2451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,830	2453	665	Petition to revive - unintentional		1501	1,530	2501	865	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		Total Claims	20	Extra Claims	0	Fee from below	Fee Paid	Independent Claims	4	4*	0	88.00	88.00	Multiple Dependent						2. 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For Reissues, see below		SUBTOTAL (3) (S)				<i>Complete if applicable</i>							SUBMITTED BY							Name (Print/Type)	Thanh V. Nguyen		Registration No. (Attorney/Agent)	42,034	Telephone	(714) 557-3800	Signature				Date	10/24/03	
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Name (Print/Type)	Thanh V. Nguyen		Registration No. (Attorney/Agent)	42,034	Telephone	(714) 557-3800																																																																																																																																																																																																																																																	
Signature				Date	10/24/03																																																																																																																																																																																																																																																		

Based on PTO/SB/17 (08-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wir) 08/11/2003.
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